

IN THE UNITED STATES DISTRICT COURT FOR THE
EASTERN DISTRICT OF VIRGINIA
Alexandria Division

CITIBANK, N.A.,)	
)	
Plaintiff,)	
)	
v.)	1:13cv1007 (LMB/IDD)
)	
TPI GROUP, INC., <u>et al.</u> ,)	
)	
Defendants.)	

ORDER

Before the Court is a Report and Recommendation ("Report") issued by a magistrate judge on March 25, 2014 [Dkt. No. 19], which recommended that default judgment be entered against defendants TPI Group, Inc., TPI Mortgage, Inc., TPI Financial, Inc., and Taxplus, Inc. The parties were advised that any objections to the Report had to be filed within 14 days and that failure to file a timely objection waived the right to appeal the substance of the Report and any judgment based upon the Report. As of May 30, 2014, no party has filed an objection. Having reviewed the Report, plaintiff's motion, and the case file, the Court adopts the Report in its entirety.

The magistrate judge correctly determined that the Court has subject matter jurisdiction over this action pursuant to 28 U.S.C. § 1331, given that plaintiff is a citizen of a different state than all defendants and the amount in controversy easily exceeds the jurisdictional threshold. Because all defendants are Virginia corporations with their principal places of

business in Vienna, Virginia, venue is proper pursuant to 28 U.S.C. § 1391(b). The Court has personal jurisdiction over defendants based on their presence and activities in Virginia, which included the execution of the promissory notes at issue here.

The Court further finds that the magistrate judge properly calculated the damages and unpaid interest to which plaintiff is entitled. Accordingly, plaintiff's Motion for Entry of Default Judgment [Dkt. No. 14] is GRANTED, and it is hereby


ORDERED that default judgment be and is entered against defendants TPI Group, Inc., TPI Mortgage, Inc., TPI Financial, Inc., and Taxplus, Inc.; and it is further

ORDERED that damages be and are awarded in favor of plaintiff in the amount of \$3,087,258.36, plus pre-judgment interest at a per diem rate of \$651.20, as specified in the loan documents, beginning on August 1, 2013, through the date of this Order, and post-judgment interest accruing at the rate specified in 28 U.S.C. § 1961(a).

The Clerk is directed to enter judgment in plaintiff's favor pursuant to Fed. R. Civ. P. 55 and to forward copies of this Order to counsel of record and to defendants at their addresses of record.

Entered this 9th day of June, 2014.

Alexandria, Virginia

/s/ 
Leonie M. Brinkema
United States District Judge